

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION
Case No. 7:20-CR-00165-M

UNITED STATES OF AMERICA,

Plaintiff,

v.

CHRISTOPHER SHINGLETON,

Defendant.

ORDER

This matter comes before the court on Defendant's pro se "Motion to Dismiss the Rule 36 Motion" [DE 85]. The court construes this motion as a request to withdraw a pending motion; however, the case docket reflects no pending motions other than a motion for sentence reduction filed November 15, 2023 (DE 84), and a "supplement" to that motion filed on November 30, 2023 (DE 86). There is no indication that Defendant seeks to withdraw these filings. To the extent that the Defendant intended that a letter addressed to the Clerk of the Court, dated August 10, 2023 (and filed August 18, 2023), serve as a "Rule 36 motion," the court notes that a motion under Rule 36 of the Federal Rules of Criminal Procedure must be addressed to and resolved by the court. Thus, the letter was not filed as a "motion" in this case. The court reminds Defendant that if he requests relief from the court, he must identify any document containing his request as a "motion."

Defendant's motion to dismiss is DENIED as moot.

SO ORDERED this 10th day of January, 2024.



RICHARD E. MYERS II

CHIEF UNITED STATES DISTRICT JUDGE